

REMARKS

In the Office Action dated June 20, 2005, claims 3, 10 and 17 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In addition, drawings were objected to under 37 C.F.R. §1.83(a) for failing to show the claimed plurality of stacked ferroelectric varactors. Furthermore, claims 1, 2, 4, 6, 8, 9, 11-16 and 18-20 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 6,130,589 ("Yamaguchi et al."). Claims 3, 5, 7, 10 and 17 were also rejected under 35 U.S.C. §103(a) as allegedly being unpatentable in view of Yamaguchi et al., U.S. Patent No. 6,563,153 ("Wikborg et al."), U.S. Patent No. 6,628,502 ("Masumiya et al.") and/or U.S. Patent No. 4,499,524 ("Shioleno").

In response, Applicant has canceled claims 3, 10 and 17. Thus, the §112 and §103(a) rejections of claims 3, 10 and 17, and the drawing objection are no longer applicable. Furthermore, Applicant has amended the independent claims 1, 8 and 15 to more clearly distinguish the claimed invention from the cited references. As a result, dependent claims 2, 4, 9, 13 and 16 were also amended to maintain proper antecedent basis. Claim 7 was also amended to correct a noted informality. As explained in more detail below, the amended independent claims 1, 8 and 15 are not anticipated by Yamaguchi et al. because the cited reference does not disclose each element of the amended claims 1, 8 and 15. In view of the amendments to the claims and the following remarks, Applicant respectfully requests that pending claims 1, 2, 4-9, 11-16 and 18-20 be allowed.

A. Patentability of Amended Independent Claims 1, 8 and 15

The original independent claim 1 was rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Yamaguchi et al.. As amended, claim 1 recites in part "*a varactor device connected in series on a signal path from the input node to the output node.*" The cited reference of Yamaguchi et al. does not disclose such a varactor device. Thus, the amended claim 1 is not anticipated by Yamaguchi et al.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); MPEP §2131. As correctly stated in the Office Action, Yamaguchi et al. does disclose an impedance matching circuit that includes a variable capacitor (varactor) 505. However, the variable capacitor 505 of Yamaguchi et al. is connected in parallel with respect to the signal path from the transistor to the output. In fact, the variable capacitor 505 is described as "a parallel capacitor" in column 3, line 29. There are no other variable capacitors in the impedance matching circuit of Yamaguchi et al. Consequently, the cited reference of Yamaguchi et al. does not disclose "*a varactor device connected in series on a signal path from the input node to the output node,*" as recited in the amended claim 1. Therefore, the amended claim 1 is not anticipated by Yamaguchi et al. As such, Applicant respectfully requests that the amended claim 1 be allowed.

The above remarks are also applicable to the amended independent claims 8 and 15, which include similar limitations. As such, Applicant respectfully asserts that the amended independent claims 8 and 15 are also not anticipated by Yamaguchi et al., and thus, requests that these claims be allowed.

B. Patentability of Dependent Claims 2, 4-7, 9, 11-14, 16 and 18-20

Each of the dependent claims 2, 4-7, 9, 11-14, 16 and 18-20 depends on one of the amended independent claims 1, 8 and 15. As such, these dependent claims include all the limitations of their respective base claims. Therefore, Applicant submits that these dependent claims are allowable for at least the same reasons as their respective base claims.

Applicant respectfully requests reconsideration of the claims in view of the remarks made herein. A notice of allowance is earnestly solicited.

Respectfully submitted,

Chul Hong Park

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By: Thomas H. Ham
Thomas H. Ham
Registration No. 43,654
Telephone: (925) 249-1300